



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET S.W.
WASHINGTON D.C. 20554

News media information 202-418-0500
Fax-On-Demand 202-418-2830; Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)
TTY (202) 418-2555

Report No. TEL-00937NS

Wednesday August 10, 2005

NON STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING

Section 214 Applications (47 C.F.R. § 63.18); Authorize Switched Services over Private Lines (47 C.F.R. § 63.16) and Section 310(b)(4)

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. No application listed below shall be granted by the Commission earlier than the day after the date specified in this public notice for the filing of comments.

Unless otherwise specified, ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Petition for Declaratory Ruling

American Samoa License, Inc. ("ASL" or the "Petitioner") requests a declaratory ruling that it is in the public interest to permit the indirect foreign ownership of ASL in excess of the 25 percent benchmark set forth in section 310(b)(4) of the Communications Act of 1934, as amended (the "Act"). ASL holds a broadband PCS license for American Samoa (MTA051). This request is filed in connection with an application for consent to the transfer of de jure control of the PCS radio licenses from R. Allen Stanford to the shareholders of eLandia Solutions, Inc. ("ESI"). See File No. 0002184665.

According to the petition, ASL is 100 percent owned by AST Telecom, LLC, a U.S. limited liability company ("AST"). Stanford International Bank Limited ("SIBL"), a company organized under the laws of Antigua and Barbuda, owns 69.28 percent of AST. SIBL is wholly-owned by Stanford International Bank Holdings Limited ("SIBHL"), which also is organized under the laws of Antigua and Barbuda. SIBHL, in turn, is 100 percent owned by the Stanford Financial Group, a U.S. company that is wholly-owned and controlled by R. Allen Stanford, a U.S. citizen (who also holds citizenship of Antigua and Barbuda). (The petition notes that SIBL and SIBHL are expected to be part of the ownership chain of AST at the time the transfer of control occurs. The insertion of these companies into the ownership chain was approved under section 310(b)(4) of the Act on August 4, 2005. See File No. ISP-PDR-20050727-00007.) The remaining 30.72 percent ownership interest in AST is held by W&R South Pacific, L.P., which is wholly-owned and controlled by Barry and Fay Alailima Rose.

Upon consummation of a series of transactions, the indirect ownership interest of R. Allen Stanford and Barry and Fay Alailima Rose will decline from 69.28 percent to 43.80 percent and from 30.72 percent to 11.10 percent, respectively. The remaining indirect ownership interests in ASL will be held by certain United States citizens and entities presumed to have their principal places of business the United States (14.60%), and by the shareholders of Datec Group, Ltd., a Province of New Brunswick corporation. Petitioner states that these shareholders are predominantly from Canada and the Fiji Islands (30.50%).

The Petitioner asserts that, pursuant to the rules and policies established by the Commission's Foreign Participation Order, 12 FCC Rcd 18158 (2000), the indirect foreign ownership of ASL in excess of the 25 percent benchmark in Section 310(b)(4) of the Act is consistent with the public interest.

Interested parties may file comments on or before August 24, 2005, and reply comments on or before August 31, 2005.

Petition for Declaratory Ruling

eLandia Technologies, Inc. ("eLandia" or the "Petitioner") requests a declaratory ruling that it is in the public interest to permit the indirect foreign ownership of eLandia in excess of the 25 percent benchmark set forth in section 310(b)(4) of the Communications Act of 1934, as amended (the "Act"). eLandia holds broadband PCS licenses for the U.S. Virgins Islands (BTA491) and Bloomington, IL (BTA491). This request is filed in connection with an application for consent to the transfer of de jure control of the PCS radio licenses from R. Allen Stanford to the shareholders of eLandia Solutions, Inc. ("ESI"). See File No. 0002185709.

According to the petition, eLandia is 100 percent owned by ESI, a U.S. corporation. Stanford International Bank Limited ("SIBL"), a company organized under the laws of Antigua and Barbuda, holds 59.71 percent of ESI, and certain United States citizens and entities presumed to have their principal places of business in the United States ("Other shareholders") hold the remaining 40.29 percent. SIBL is wholly-owned by Stanford International Bank Holdings Limited ("SIBHL"), which also is organized under the laws of Antigua and Barbuda. SIBHL, in turn, is 100 percent owned by the Stanford Financial Group, a U.S. company that is wholly-owned and controlled by R. Allen Stanford, a U.S. citizen (who also holds citizenship of Antigua and Barbuda). (The petition notes that SIBL and SIBHL are expected to be part of the ownership chain of eLandia at the time the transfer of control occurs. The insertion of these companies into the ownership chain was approved under section 310(b)(4) of the Act on July 14, 2005. See File No. ISP-PDR-20050321-00005.)

Upon consummation of a series of transactions, the indirect ownership interest of R. Allen Stanford and Other shareholders in eLandia will decline from 59.71 percent to 43.80 percent and from 40.29 percent to 14.60 percent, respectively. The remaining indirect ownership interests in eLandia will be held by W&R South Pacific, L.P., which is wholly-owned and controlled by Barry and Fay Alailima Rose (11.10%), and by the shareholders of Datec Group, Ltd., a Province of New Brunswick corporation. Petitioner states that these shareholders are predominantly from Canada and the Fiji Islands (30.50%).

The Petitioner asserts that, pursuant to the rules and policies established by the Commission's Foreign Participation Order, 12 FCC Rcd 18158 (2000), the indirect foreign ownership of eLandia in excess of the 25 percent benchmark in Section 310(b)(4) of the Act is consistent with the public interest.

Interested parties may file comments on or before August 24, 2005, and reply comments on or before August 31, 2005.

REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–.2003.

An updated version of Section 63.09-.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>